

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL A. DUFFY,	§
	§ No. 390, 2009
Plaintiff Below-	§
Appellant,	§
	§ Court Below-Court of Chancery
v.	§ of the State of Delaware
	§ C.A. No. 4281
KENT COUNTY LEVY COURT,	§
	§
Defendant Below-	§
Appellee.	§

Submitted: July 8, 2009
Decided: July 14, 2009

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices

ORDER

This 14th day of July 2009, it appears to the Court that:

(1) The plaintiff-appellant, Michael A. Duffy, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Court of Chancery's interlocutory rulings on June 8, 2009 and June 22, 2009, which denied Duffy's motion for a preliminary injunction and ordered Duffy to post bond pending his appeal to this Court.

(2) On June 22, 2009, the Court of Chancery refused to certify an interlocutory appeal to this Court because its rulings did not determine any substantial issue and did not satisfy any of the criteria of Rule 42.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.¹ We have examined the Court of Chancery's interlocutory rulings according to the criteria set forth in Rule 42. In the exercise of its discretion, this Court has concluded that such exceptional circumstances as would merit interlocutory review of the Court of Chancery's rulings do not exist in this case.

NOW, THEREFORE, IT IS ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

¹ Supr. Ct. R. 42(b).